

7-14-1989

Reapportionment By Commission.

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State of California

OFFICE OF THE SECRETARY OF STATE

January 24, 1990

TO: All County Clerks/Registrar of Voters (90012)

Pursuant to Section 3523 of the Elections Code, I hereby certify that on January 24, 1990, the certificates received from the County Clerks or Registrars of Voters by the Secretary of State established that the Initiative Constitutional Amendment and Statute, REAPPORTIONMENT BY COMMISSION., has been signed by the requisite number of qualified electors needed to declare the petition sufficient. The REAPPORTIONMENT BY COMMISSION. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE. is therefore, qualified for the June 5, 1990 Primary Election.

REAPPORTIONMENT BY COMMISSION. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE. Amends state Constitution. Requires 12-person Commission, appointed by retired appellate justices, adjust boundaries of California Senatorial, Assembly, Congressional, and Board of Equalization districts. Commissioners appointed from nominees of non-partisan, non-profit state organizations. Requires Commission review plans submitted complies with standards. Each district's population may vary no more than 1% from average district population. Senatorial districts formed from two adjacent Assembly districts, Board of Equalization districts from 10 adjacent Senate districts. Elections held for all Senate and Assembly seats in 1992. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Measure provides that the 1990-91 appropriation for Commission shall be \$3.5 million and no other public funds shall be appropriated or expended for reapportionment. Future decennial appropriations will be adjusted for increases in the Consumer Price Index and for any previously unexpended funds. Measure will result in minor savings and minor costs to the counties due to changes in ballot format. The net effect is unknown but probably minor.



IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California this 24th day of January, 1990.

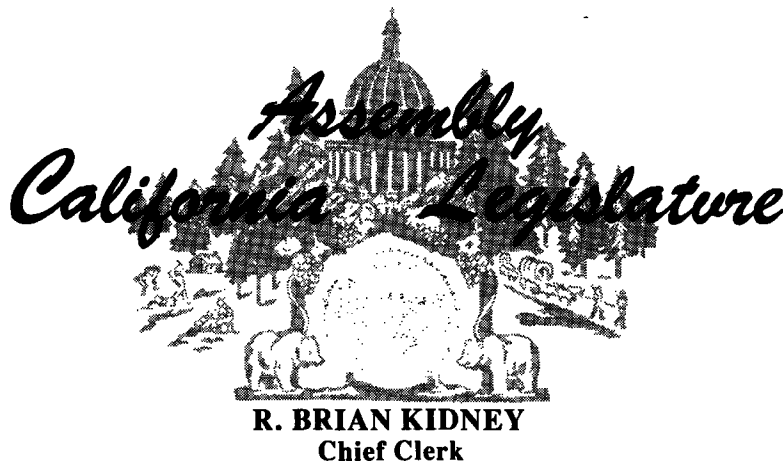
March Fong Eu

MARCH FONG EU
Secretary of State

A:\INIT469.QUA

State Capitol
P.O. Box 942849
Sacramento, CA 94249-0001

Telephone: 445-3614



February 1, 1990

Honorable March Fong Eu
Secretary of State
1230 "J" Street
Sacramento, CA 95814

Dear Dr. Eu:

This is to acknowledge receipt of your communications enclosing copies of initiatives entitled (1) Legislature. Ethics. Reapportionment. Initiative Constitutional Amendment and Statute, and (2) Reapportionment by Commission. Initiative Constitutional Amendment (pursuant to Section 3523.1, Elections Code).

Your communications and initiatives have been presented to the Assembly and ordered filed with the Chief Clerk (see Assembly Journal for January 22, 1990, page 5566 for item (1) above, and Assembly Journal for January 25, 1990, page 5631 for item (2) above).

Very truly yours,

R. BRIAN KIDNEY
Chief Clerk

RBK:eh

RECEIVED
ELECTIONS DIVISION

90 FEB -7 PM 1:18

RECEIVED



Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

#469
ELECTIONS DIVISION
(916) 445-0820
For Hearing and Speech Impaired
Only:
(800) 833-8683

July 14, 1989

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT (8937)

Pursuant to Section 3513 of the Elections Code, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

REAPPORTIONMENT BY COMMISSION.
INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.

Circulating and Filing Schedule

1. Minimum number of signatures required.....595,485
Cal. Const., Art. II, Sec. 8(b).
2. Official Summary Date.....Friday, 07/14/89
Elec. C., Sec. 3513.
3. Petition Sections:
 - a. First day Proponent can circulate Sections for
signatures.....Friday, 07/14/89
Elec. C., Sec. 3513.
 - b. Last day Proponent can circulate and file with
the county. All Sections are to be filed at
the same time within each
county.....Monday, 12/11/89+
Elec. C., Secs. 3513, 3520(a).
 - c. Last day for county to determine total number
of signatures affixed to petition and to
transmit total to the Secretary of State.....Monday, 12/18/89

(If the Proponent files the petition with the county on a date prior to 12/11/89, the county has five working days from the filing of the petition to determine the total number of signatures affixed to the petition and to transmit the total to the Secretary of State.) Elec. C., Sec. 3520(b).

- + PLEASE NOTE: To the Proponent who may wish to qualify for the June 5, 1990 Primary Election. The law allows approximately 85 days for county election officials to check and report petition signatures and transmit results. The law also requires that this process be completed 131 days before the election in which the people will vote on the initiative. It is possible that the county may not need precisely 85 days. But if you want to be sure that this initiative qualifies for the June 5, 1990 Primary Election, you should file this petition with the county before October 17, 1989.

- d. Secretary of State determines whether the total number of signatures filed with all county clerks meets the minimum number of required signatures, and notifies the countiesWednesday, 12/27/89**
- e. Last day for county to determine total number of qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of StateFriday, 01/19/90

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 12/18/89 the last day is not later than the fifteenth working day after the county's receipt of notification.)
Elec. C., Sec. 3520(d), (e).
- f. If the signature count is more than 655,033 or less than 565,711, then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 565,711 and 655,033 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signaturesMonday, 01/29/90**
- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of StateWednesday, 03/14/90

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 01/19/90, the last day is not later than the thirtieth working day after county's receipt of notification.)
Elec. C., Sec. 3521(b), (c).
- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficientSunday, 03/18/90

**Date varies based on receipt of county certification.

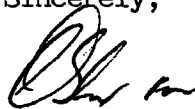
4. The Proponent of the above named measure is:

Tom Huening
California for Political Reform
451 Cornell Avenue
San Mateo, California 94402
(415) 363-4568

5. Important Points:

- (a) Please refer to Elections Code sections 44, 3501, 3507, 3508, 3517, and 3519 for appropriate format and type considerations in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. Please send us a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file in this matter.
- (b) Your attention is directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code section 81000 et seq.
- (c) When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- (d) When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- (e) When filing the petition with the county elections official, please provide a blank petition for elections official use.

Sincerely,



DEBORAH SEILER
Assistant to the Secretary of State
Elections and Political Reform

Attachment: POLITICAL REFORM ACT OF 1974 REQUIREMENTS

Date: July 14, 1989
File No. SA 89 RF 0007

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

REAPPORTIONMENT BY COMMISSION. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE. Amends state Constitution. Requires 12-person Commission, appointed by retired appellate justices, adjust boundaries of California Senatorial, Assembly, Congressional, and Board of Equalization districts. Commissioners appointed from nominees of non-partisan, non-profit state organizations. Requires Commission review plans submitted by registered voters and adopt plan or amended plan which complies with standards. Each district's population may vary no more than 1% from average district population. Senatorial districts formed from two adjacent Assembly districts, Board of Equalization districts from 10 adjacent Senate districts. Elections held for all Senate and Assembly seats in 1992. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Measure provides that the 1990-91 appropriation for Commission shall be \$3.5 million and no other public funds shall be appropriated or expended for reapportionment. Future decennial appropriations will be adjusted for increases in the Consumer Price Index and for any previously unexpended funds. Measure will result in minor savings and minor costs to the counties due to changes in ballot format. The net effect is unknown but probably minor.

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



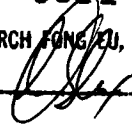
1515 K STREET, SUITE 511
P.O. BOX 944255
SACRAMENTO 94244-2550
(916) 445-9555

July 14, 1989

FILED
In the office of the Secretary of State
of the State of California

(916) 324-5508

Honorable March Fong Eu
Secretary of State
1230 J Street
Sacramento, CA 95814

JUL 14 1989
MARCH FONG EU, Secretary of State
By  Deputy

Dear Mrs. Eu:

Initiative Title and Summary

Subject: REAPPORTIONMENT BY COMMISSION. INITIATIVE CONSTITUTIONAL
AMENDMENT AND STATUTE.

Our File No.: SA 89 RF 0007

Pursuant to the provisions of sections 3503 and 3513 of the Elections Code, you are hereby notified that on this day we mailed to the proponent of the above-identified proposed initiative our title and summary.

Enclosed is a copy of our transmittal letter to the proponent, a copy of our title and summary, a declaration of mailing thereof, and a copy of the proposed measure.

According to information available in our records, the name and address of the proponent is as stated on the declaration of mailing.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General


MARY WHITCOMB
Initiative Coordinator

MW:jh

Enclosures

SA89RF0007
Amendment #

CALIFORNIANS FOR POLITICAL REFORM
451 CORNELL AVENUE
SAN MATEO, CA 94402
(415) 363-4568.

June 5, 1989.

RECEIVED
JUN 05 1989

Honorable John K. Van de Kamp
Attorney General
1515 K Street, Suite 511
Sacramento, CA 95814

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

ATT: Mary Whitcomb,
Initiative Coordinator

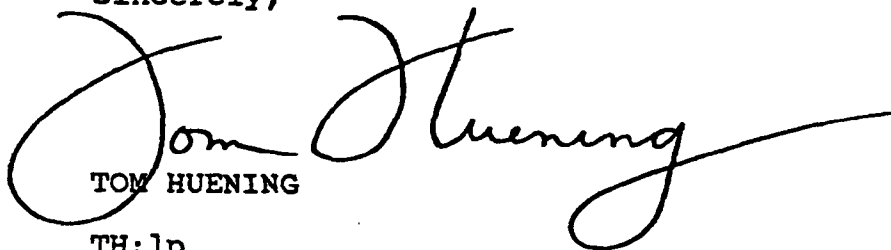
Dear Attorney General Van de Kamp:

I am the proponent of the Independent Citizens Redistricting Initiative which has been submitted to your office for preparation of a title and summary (AG File No. SA89RF00007).

Enclosed please find a minor technical amendment to this initiative located in Article IVA Section 6(c), at pages 11 and 12. It is my understanding that this amendment may be processed in an expedited manor. Please contact me if there are any unanticipated delays.

If you have any questions or require additional information, please contact me by telephone at (415) 363-4568.

Sincerely,



TOM HUENING

TH:lp

Enclosure

SA89RF0007
Amendment #1

SUBMISSION DRAFT

INDEPENDENT CITIZENS REDISTRICTING INITIATIVE

Initiative Measure to be Submitted Directly to the Voters

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

(Here set forth the title and summary prepared by the Attorney General. This title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA

May 1, 1989

We, the undersigned, registered, qualified voters of California, residents of _____ County (or City and County) hereby propose amendments to the California Constitution and Elections Code, relating to the decennial redrawing of boundaries of electoral districts for the United States House of Representatives, and for the California Assembly, Senate, and Board of Equalization, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or otherwise provided by law. The proposed constitutional and statutory amendments read as follows:

INDEPENDENT CITIZENS REDISTRICTING INITIATIVE

Section One. Findings and Declarations. The people find and declare as follows:

1. Fair reapportionment and redistricting are essential to representative democracy.
2. The fair periodic redrawing of legislative boundary lines promotes competition for elective office, strengthens the political power of voters, and affirms public confidence in government.

3. Districts must not be drawn for the purpose of favoring any political party or incumbent. Permitting legislators to draw or choose their own districts is an inherent conflict of interest which encourages political gerrymandering and discourages competition against incumbents.

4. Openness and accountability in government demand that the process of redistricting be moved from behind the scenes to an open public process implemented by an Independent Citizens Redistricting Commission.

5. Redistricting by the Commission will be completed at half the cost of legislative redistricting, thereby saving the people of this State \$3.5 million each time new districts are drawn.

Section Two. Article XXI of the California Constitution is hereby repealed.

Section Three. Section One of Article IV of the California Constitution is hereby amended to read as follows:

1. Legislative Power. The legislative power of this State is vested in the California Legislature, which consists of the Senate and Assembly, but the people reserve to themselves the powers of initiative and referendum. Notwithstanding the foregoing provision, or any other provision of this

Constitution, the legislative power of this State with respect to the redistricting of federal and state legislative districts and State Board of Equalization districts is vested exclusively in the people of the State, to be exercised on their behalf by the Independent Citizens Redistricting Commission established pursuant to Article IV A of this Constitution. To the extent that Section Four of Article 1 of the United States Constitution may require redistricting to be done by the Legislature, the Independent Citizens Redistricting Commission shall be deemed to be the Legislature of this State for this purpose.

Section Four. Article IV A is hereby added to the Constitution of the State of California, to read as follows:

ARTICLE IV A
REDISTRICTING

1. Purpose and Intent. It is the intent of the people of the State of California to create state legislative and Board of Equalization districts and federal legislative districts which conform to the one-person, one-vote principle, which provide fair and effective representation for all residents of the State, including racial and ethnic minorities, and which maintain identifiable communities of interest. The people further intend to redistrict in an open, public and timely manner and to create districts that are not drawn with the intent to favor any political party or incumbent.

2. Redistricting Authority; Amendment. Except as otherwise provided in this Article, the exclusive authority to determine the boundaries of districts for the California State Senate, Assembly, and Board of Equalization, and for the United States House of Representatives for the State of California, is vested in the Independent Citizens Redistricting Commission established by this Article. No elected official, nor any body of elected representatives of the voters of this State, shall be vested with any power to design, alter, adopt, or implement any other plan to redistrict federal or state legislative districts or State Board of Equalization districts, and any such plan shall be void. The Legislature may place an initiative measure on the ballot for the purpose of amending this Article or Division 18 of the Elections Code only by enacting an urgency statute in accordance with Section 8 of Article IV of the California Constitution.

3. Creation of Commission. There is hereby established the Independent Citizens Redistricting Commission, hereinafter called "the Commission", which shall be generally representative of the geographic, gender, racial, and ethnic diversity of the State and in which shall be vested the sole and exclusive power, except as otherwise provided in this Article, to determine electoral district boundaries for the California State Senate, Assembly, and Board of Equalization, and for the United States House of Representatives for the State of California. Members of the Commission, hereinafter called "Commissioners," shall be chosen for the term of the Commission during the year

following the year of the federal decennial census, or as otherwise provided in this Article. A replacement Commission shall be appointed if a Commission shall fail to adopt any plan for redistricting.

4. Selection of Commissioners. During the year following each decennial year, the Secretary of State shall prepare a list of the names of persons nominated to serve as Commissioners which names shall have been submitted by nonpartisan, nonprofit public interest organizations in the State of California. From this list, a panel of three retired appellate court justices appointed by the California Judicial Council, shall appoint a bipartisan Commission of twelve men and women and a like group of alternates. Public officials and their staffs, officials of any political party and their employees, family members of all such officials in the first or second degree of lineal or collateral consanguinity or persons who have been convicted of malfeasance in office or of a felony, and whose civil rights have not been restored, shall be ineligible to serve on the Commission. Nominees may also be rejected for cause or by peremptory challenge as provided by Elections Code Section 30003 or its successor.

5. Duties of Commission. Any registered voter of the State of California, except any justice, Commissioner, alternate, nominee, the Commission's special master, Commission employee, or justices' employee may prepare and submit one plan to redistrict the United States House of Representatives for the

State of California, or one plan to redistrict the California Senate, Assembly, and Board of Equalization, or both. The Commission shall select from among submitted plans one plan to redistrict the U.S. House of Representatives for the State of California and one plan to redistrict the California Senate, Assembly, and Board of Equalization which best comply with the standards set forth in this Article. Notwithstanding any other provision of this Article, the Commission may amend submitted plans in order to, and only to the extent necessary to, bring such plans into compliance with the standards set forth in this Article.

6. Standards for Plans.

(a) The Commission shall initially review all plans but shall consider and evaluate only those plans which are accompanied by maps and by supporting documentation as to population, minority composition, and party registration for each district and such other documentation as the justices or the Commission may require and which comply with all the following standards:

(1) Districts shall be single member. California Assembly and United States House of Representatives districts shall be as equal in population as practicable, shall not deviate from standards established by federal statutory and case law, and in no event shall vary in population by more than one

percent from the average district population.

(2) Plans shall provide fair and effective representation for all people of the State. Districts shall be drawn in accordance with all standards mandated by federal and California law and shall neither disperse nor concentrate minority populations in a manner that has an adverse effect on their political influence;

(3) Each state Senate district shall be composed of two adjacent Assembly districts and each Board of Equalization district shall be composed of ten adjacent Senate districts;

(4) Districts shall be comprised of contiguous territory. Populous adjacent territory shall not be bypassed to reach distant populous areas.

(b) From among plans that comply with the standards of subdivision (a) of this Section, the Commission shall select the plans which most nearly comply with the additional following standards, giving them priority in the order listed.

(1) In order to ensure that district lines respect regional mountain barriers, no district may cross the following common county boundaries: Alameda and San

Joaquin; Santa Clara and Stanislaus; Santa Clara and Merced; San Benito and Merced; San Benito and Fresno; Monterey and Fresno; Monterey and Kings; San Luis Obispo and Kern; Santa Barbara and Kern; Ventura and Kern.

(2) Except as prohibited in subsection (1) of this subdivision, only one district of each type may cross a particular common boundary between two counties. No district may cross a county boundary more than once. No county may contain fragments of more than two districts of each type.

(3) District boundaries shall not be drawn to fragment incorporated cities. For purposes of subsections (3), (4), and (5), the following definitions shall apply:

(a) "City" shall mean (1) all of the area and population contained within the exterior incorporated boundary of a city or town plus all the area and population of unincorporated areas or additional cities completely surrounded by that original city, or (2) where possible, that city's "sphere of influence" as defined by the appropriate Local Agency Formation Commission. Non-contiguous portions of a city, detached from the largest portion of that city, shall not be considered within that city for purposes of

applying this criterion.

(b) A city fragment is a populated portion of a city in a district which also includes territory outside of the exterior boundary of that city.

(4) For State Assembly and U.S. House of Representatives districts, the total number of any one city's fragments may not exceed one more than the number calculated by dividing that city's population by the ideal district population and rounding the quotient to the nearest whole number.

(5) No district may contain more than two city fragments.

(6) Each Assembly and Congressional district shall contain no less than 60 percent of the population which would be contained in a polygon with the shortest possible perimeter drawn around that Assembly or Congressional district. The average of all such percentages for all districts of a type shall not be less than 72 percent. For purposes of computing such percentages, the total population of any geographic census block or enumeration district shall be deemed to be within a given polygon or Assembly or Congressional district if the block's or enumeration district's geographic center falls within the polygon or Assembly

or Congressional district. The islands off the coast of the state shall not be included in these calculations.

(7) To the extent permitted by the foregoing standards, the greatest possible number of districts should be competitive. A district shall be deemed "competitive" if the registration within the district of each of the state's two largest political parties is no greater than two percentage points above or below that party's registration in the state as a whole, as defined by the most recent published report of registration issued by the Secretary of State.

(8) Census blocks shall not be divided except to follow city limit boundaries.

(c) New districts shall be consecutively numbered from North to South. In order to eliminate a lapse of Senate representation because of district numbering, elections shall be held for all state Senate seats in 1992. Following said election, all even-numbered state Senate seats will have one two-year term, and odd-numbered seats will have a four-year term. Thereafter, all Senate seats will have four-year terms until the next decennial redistricting. Elections shall again be held for all state Senate seats in 2002. Following this election, all odd-numbered seats will have one two-year term, while even-numbered seats will have

a four-year term. Thereafter, all Senate seats will have four-year terms until the next decennial redistricting. The two-year term will continue to alternate between even-numbered and odd-numbered districts after each decennial census.

7. Appropriations; Disclosure in State Budget. The Legislature shall not appropriate or spend funds for legislative redistricting or for any other activity related to redistricting except as required for the support of the Commission.

8. Referendum and Judicial Review. Any redistricting plan adopted by the Commission shall be deemed a statute of this state and shall be subject to referendum pursuant to the procedures applicable to a statute of this state. Notwithstanding any other provision of this Constitution, districts created by such a plan shall be used for any election held pending such a referendum, and for any general election, if such districts were used during the preceeding primary for the purpose of selecting candidates for the general election. Notwithstanding any other provision of this Constitution, the date of enactment of each plan shall be the date of filing with the Secretary of State. On the date of enactment of each Congressional redistricting plan, the previous Congressional plan shall be repealed; and on the date of enactment of each California Senate, Assembly, and Board of Equalization plan, the previous California Senate, Assembly, and Board of Equalization plan shall be repealed. The California Supreme Court shall have original and exclusive jurisdiction to review legal challenges

to the redistricting plans adopted by the Commission. If the Commission and a replacement Commission shall both fail to adopt any plan, the California Supreme Court shall adopt such a plan, consistent with this Article, within 60 days after the deadline for adoption of such plan by the replacement commission.

Section Five. Section 2 of Article IV of the California Constitution is hereby amended to read as follows:

(a) The Senate has a membership of 40 Senators elected for a 2-year or 4-year term, as provided in Section 6 of Article IV A of this Constitution. The Assembly has a membership of 80 members elected for 2-year terms. Their terms shall commence on the first Monday in December next following their election.

(b) Election of members of the Assembly shall be on the first Tuesday after the first Monday in November of even-numbered years unless otherwise prescribed by the Legislature. Senators shall be elected at the same time and places as members of the Assembly.

(c) A person is ineligible to be a member of the Legislature unless the person is an elector and has been a resident of the legislative district for one year, and a citizen of the United States and a resident of California for 3 years, immediately preceding the election.

(d) When a vacancy occurs in the Legislature the Governor immediately shall call an election to fill the vacancy.

Section Six. Division 18 of the Elections Code is hereby repealed effective January 1, 1992, with the exception of Sections 30011, 30022, and 30040 through 30044, which Sections shall remain in effect until and be repealed upon the date of enactment of the first California Senate, Assembly and Board of Equalization plan adopted by the Commission; and with the exception of Section 30032, which shall remain in effect until and be repealed upon the date of enactment of the first U.S. Congressional redistricting plan adopted by the Commission.

Section Seven. Division 18, commencing with Section 30000, is hereby added to the Elections Code to read as follows:

Division 18

Independent Citizens Redistricting Commission

30000. Purpose and Intent. The purpose and intent of the people of this State in adopting this Division is identical to that set forth in Section 1 of Article IVA of the California Constitution.

30001. Definitions. As used in this Division, the following terms shall have the following meanings, unless it is clear from the context that another meaning should apply.

(a) "Commission" shall mean the Independent Citizens Redistricting Commission established pursuant to Article IVA of the California Constitution.

(b) "Commissioner" shall mean a person selected by a panel of retired appellate court justices to serve on the Independent Citizens Redistricting Commission.

(c) "Alternate" shall mean a person who has been examined by a panel of retired appellate justices and is eligible to serve on the Independent Citizens Redistricting Commission as a replacement to a Commissioner who is unable to serve.

(d) "Nominee" shall mean any person whose name is submitted by a qualified non-profit, non-partisan public interest organization for consideration for appointment as a Commissioner.

(e) "Justices" or "the justices" shall mean a panel of three retired appellate court justices selected by the California Judicial Council for the purposes indicated in this Division.

(f) "Plan" shall mean a submitted or adopted redistricting proposal either for the United States House of Representatives for the State of California or for the California Assembly, Senate, and Board of Equalization.

(g) "Decennial year" shall mean the year 1990 or any tenth year thereafter.

30002. Nomination of Commissioners. Not later than March 31 of the year following each decennial year, the Secretary of State shall prepare a list of the names of Commissioner nominees submitted in accordance with this Section and shall randomly assign by computer to each such nominee a different consecutive number, commencing with the number one. No individual shall be assigned more than one number.

(a) Not later than December 31 of each decennial year, the Secretary of State shall notify the public by issuing a press release to the news media and by publishing a notice in every daily newspaper of general circulation in this state, pursuant to Government Code Section 6061, stating that the period for submission of nominations is open. All public interest organizations may nominate a group of exactly 12 registered California voters to be considered for appointment to the Commission. All nominees must fulfill the requirements and standards set forth in subdivision (d) of this Section. Each nominating organization shall endeavor to nominate a group that is generally representative of the state's population. Each twelve nominees shall include five members of each of the two largest political parties in California and two others not registered in either such party. The names of the 12

nominees shall be submitted to the Secretary of State not later than March 1 of the year following the decennial year, on a form which the Secretary of State shall prepare. Said form shall require the disclosure of the name, names of officers and directors, and formation date of the nominating organization as well as the name, description of qualifications relevant to redistricting, political party affiliation and consent of the nominee.

(b) For the purposes of this Section, a "public interest organization" shall be defined as any non-partisan, non-profit organization doing business in this State. No political party or other organization which nominates any candidate for public office, and no organization or entity qualified as a political committee pursuant to Government Code Section 82013, shall be eligible to nominate. Notwithstanding any other provision of this subdivision, an organization shall not be disqualified from submitting nominations merely because it sponsors a political committee.

(c) If the number of names submitted by organizations pursuant to this Section on or before March 1 of the year following the decennial year shall be less than 300, the Secretary of State shall publish a notice requesting submission of additional names in accordance with the preceding subdivision. Public interest organizations which

have previously submitted nominations shall be ineligible to submit such additional names.

(d) All California residents who have registered to vote on or before December 31 of the decennial year are eligible to be nominated to serve on the Commission, except the following:

(1) An elected or appointed public official at any level of federal, state, county, municipal, or special district government, a person who has served as such an official within two years prior to December 31 of the decennial year, the staff of such an official, or a family member of such an official in the first or second degree of lineal or collateral consanguinity, as determined pursuant to Section 252 and 253 of the Probate Code.

(2) Elected or appointed officials of any political party, as defined by Division 7 of the California Elections Code, or any committee, subcommittee or other subdivision of such a political party, a person who has served as such an official within two years prior to December 31 of the decennial year, or a family member of such an official or person in the first or second degree of lineal or collateral consanguinity, as determined pursuant to Sections 252 and 253 of the

Probate Code.

(3) Persons who have been convicted of malfeasance in office, or of a felony, and whose civil rights have not been restored.

30003. Appointment of Commission. On or before May 31 of the year following each decennial year, the members of the Commission shall be appointed as provided in this section.

(a) On or before November 1 of each decennial year, the California Judicial Council shall select by lot three retired justices of the California Courts of Appeal, with their consent, for the purposes set forth in this Division.

(1) One justice shall have served on the Court of Appeal for either the First District or the Sixth District.

(2) One justice shall have served on the Court of Appeal for either the Second District or the Fourth District.

(3) One justice shall have served on the Court of Appeal for either the Third District or the Fifth District.

(4) No more than two of the justices shall have been appointed to the Court of Appeal by the same governor. One justice shall be a member of the largest political party in California and one justice shall be a member of the second-largest political party in California.

(5) In the event that any justice selected hereunder shall be unable or unwilling to perform or to continue to perform the duties prescribed herein, the California Judicial Council shall select a replacement justice in accordance with the provisions of this Section.

(b) The Secretary of State shall submit to the justices chosen in accordance with subdivision (a) of this section a list of nominees prepared in accordance with Section 30002.

(c) In a public proceeding, the justices shall summon the first 100 nominees. Commencing in numerical sequence with the first name on the list of nominees, and proceeding thereafter in consecutive numerical order, the justices shall examine all the summoned nominees under oath. Any act of perjury during this examination shall be punishable pursuant to the provisions of Chapter 5 of Title 7 of Part 1 of the Penal Code.

(1) The justices shall excuse any nominee for cause if, as a result of examination, it shall appear that one of

the following conditions exists:

(A) The nominee is unqualified or disqualified to serve as a member of the Commission, pursuant to Section 30002.

(B) The nominee, in the opinion of the justices, lacks either a sufficient understanding of redistricting or the mental or physical capacity to adequately perform the duties of a Commissioner.

(C) The nominee, in the opinion of the justices, will be unable to perform the duties of a Commissioner in a reasonably impartial manner due to the nominee's extreme bias in support of or opposition to a political party; provided, however, that mere membership in or support of a political party shall not constitute cause within the meaning of this subdivision.

(D) The nominee has, within one year prior to nomination, amended his or her voter registration for the purpose of changing party affiliations.

(2) Upon completion of the examination, the justices shall appoint twelve persons as Commissioners. All

remaining nominees who have been examined and who have not been excused for cause shall serve as alternates and shall be eligible to be appointed by the justices to replace any Commissioner who subsequently is removed by peremptory challenge or is otherwise unable to serve or is disqualified from serving.

(3) In the event that the justices cannot comply with the appointment process required by subsection (2) of this Section, the justices shall summon successive groups of as many nominees as they shall require from the list compiled by the Secretary of State and proceed in the same manner to examine such persons until the requisite number of twelve Commission appointments are made and there are available remaining alternates.

(4) The chairperson of each political party, the candidate for governor of which has received 10% or more of the total vote for governor in the immediately preceding gubernatorial general election, may designate an official representative to attend the examination and appointment proceedings. Immediately following the appointment by the justices of twelve Commissioners, each party representative may exercise a peremptory challenge against not more than two Commissioners, and may thereupon disqualify such persons from serving thereafter as Commissioners or alternates. The

justices shall then make appointments from among the alternates to replace such challenged Commissioners.

(d) The men and women of the Commission shall be generally representative of the geographic, gender, racial and ethnic diversity of this state. Five Commissioners shall be members of the largest political party and five Commissioners shall be members of the second largest such political party in this state, as determined by the justices in accordance with voter affiliation statistics provided by the Secretary of State. The remaining two Commissioners shall not be members of either such party.

(e) No employer shall discharge, discipline, or otherwise subject any employee to loss of any occupational position or benefit, nor shall any person suffer any loss of any governmental benefit or entitlement, by reason of that person's service as a nominee, Commissioner, or alternate.

(f) Each Commissioner shall be compensated at the rate of \$100 for each day they are involved in the conduct of the Commission's business, adjusted in accordance with the Consumer Price Index for the State of California as reported by the Division of Labor Standards or its successor agency. Each Commissioner shall be reimbursed for reasonable expenses incurred in the conduct of the Commission's business, including lodging, travel and childcare expenses,

as determined by the Department of Personnel Administration. The justices and the special master appointed pursuant to Section 30004 of this Division shall be compensated for actual services at the rate prescribed in Section 68201(b) of the Government Code, annually adjusted in accordance with Government Code Section 68203, and pro rated for any partial period, and shall also be reimbursed for reasonable expenses incurred. Nominees summoned for examination by the justices pursuant to this Division shall be reimbursed for reasonable expenses actually incurred, as determined by the Department of Personnel Administration.

(g) The justices shall appoint an alternate to replace any Commissioner who, prior to the disbanding of the Commission, dies, becomes incapacitated or disqualified under the provisions of this Division, or is otherwise unable to perform the duties of a Commissioner.

30004. Commission Staff.

(a) The justices shall appoint an impartial special master for the Commission. The special master shall act as Commission administrator and shall preside in an impartial manner over sessions of the Commission, but shall have no vote in any matter to be decided by the Commission. The special master may be one of the justices, or a person experienced in administration and management. The justices

may also employ such staff as they shall require until the Commission has been appointed.

(b) The Commission shall employ from among four individuals nominated by the justices an executive director and a deputy executive director. The executive director and deputy executive director shall not be members of the same political party, but must be members of either of the two largest political parties in this state. Subject to the approval of a majority of the Commission, the executive director shall employ such staff and consultants and arrange for such meeting and office quarters and other services as may be required by the Commission. The executive director, deputy executive director, and additional Commission staff shall not be subject to the provisions of the Civil Service Act, commencing with Section 18500 of Part 2 of Division 5 of Title 2 of the Government Code.

(c) The special master, the justices' staff members, and the Commission staff members shall be persons who satisfy the same qualifications applicable to a Commissioner, as set forth in Section 30003(c)(1).

30005. Independent Citizens Redistricting Fund. The Independent Citizens Redistricting Fund is created within the State Treasury and is continuously appropriated for carrying out the purposes of this Division. In fiscal year 1990-91, the

Legislature shall transfer \$3.5 million from its contingency or operating fund into the Independent Citizens Redistricting Fund. No other public moneys shall be appropriated or expended for redistricting. Each decennial fiscal year thereafter, the Legislature shall transfer a like amount to the Independent Citizens Redistricting Fund, adjusted in accordance with the Consumer Price Index for the State of California as reported by the Division of Labor Standards or its successor agency, and reduced by the amount of any unexpended monies previously transferred to said Fund. The Controller shall draw warrants on said Fund no less frequently than monthly for the purposes of paying the expenses of the Commission, as certified by the special master.

30006. Meetings; Procedures; Rules and Regulations.

(a) Meetings of the Commission shall be open and public in accordance with the Bagley-Keene Open Meeting Act, commencing with Section 11120 of Chapter 1 of Part 1 of Division 3 of the Government Code.

(b) Except as otherwise provided in this Division, all writings and documents prepared by or for the use of the Commission and Commission staff shall be deemed "public records" within the meaning of Government Code Section 6252. All such public records shall be available for public inspection in accordance with the Public Records Act, commencing with Section

6250 of Chapter 3.5 of Division 7 of Title 1 of the Government Code.

(c) The Commission may adopt, amend, and repeal rules and regulations governing the conduct of its business, but shall not be subject to the provisions of the Administrative Procedures Act, commencing with Section 11340 of the Government Code, nor shall rules and regulations so adopted, amended, or repealed be subject to review by the Office of Administrative Law or its successor agency.

(d) No action shall be taken by the Commission except by the recorded affirmative vote of at least seven Commissioners. Notwithstanding any other provision of this Division, a vote to select plans to be returned for resubmission pursuant to subdivision (d) of Section 30008, or to adopt final plans, shall be conducted in a public proceeding and shall require the affirmative recorded vote of at least seven Commissioners, two of whom are affiliated with the largest political party and two of whom are affiliated with the second largest political party.

(e) No Commissioner shall be eligible for election to any state legislative or State Board of Equalization office for two years after the date upon which the justices declare the Commission disbanded.

30007. Information Manual.

(a) Not later than February 1st of the year following each decennial year, the Justices shall specify to the Secretary of State the data that will be required for the submission of redistricting plans. Within 30 days after receiving such specifications, the Secretary of State, under the direction of the justices, shall prepare an information manual and make it available for distribution to any group or registered voter. Such information manuals shall contain the following:

(1) The standards set forth in Section 6 of Article IVA of the California Constitution;

(2) Pertinent United States census maps and a map of California which shall prominently indicate the boundaries of counties and cities, including their spheres of influence where applicable;

(3) Instructions for the submission of plans, including instructions pertaining to the form of such plans and required documentation; and

(4) Such other data as the justices shall require.

(b) Immediately upon the receipt of federal census data, the

Governor shall transmit said data to the Secretary of State. Within 15 days the Secretary of State shall make available statistical data pertaining to state population, race and national origin statistics, and such other data as the justices shall determine, which data has been compiled by the United States Bureau of the Census during the immediately preceding decennial census. Such information shall be available in machine readable and hard copy form, or in such form as the justices shall determine.

(c) The Secretary of State shall charge a reasonable fee for preparation and distribution of information manuals prepared pursuant to this Section, in order to recover the actual direct preparation and distribution costs incurred by the Secretary of State. The Secretary of State shall additionally provide one copy of the information manual at no charge to each county election official in this State, who shall make said manual available for public inspection at no charge during regular business hours.

30008. Preparation and Submission of Redistricting Plans and Hearings. Any registered voter of the State of California, except for a justice, Commissioner, alternate, nominee, member of the Commission staff or justices' staff, or the special master, may prepare and submit a plan for redistricting the United States House of Representatives for the State of California, or a plan for redistricting the California Assembly,

Senate, and Board of Equalization, or both, in accordance with the provisions of this Division and the information manual prepared by the Secretary of State pursuant to the provisions of Section 30007. No person or organization may directly or indirectly submit to the Commission more than one plan for redistricting the United States House of Representatives for the State of California or more than one plan for the California Assembly, Senate, and Board of Equalization. The Commission shall review all such plans but shall not adopt any proposed plans which do not substantially comply with the provisions of Article IV A of the California Constitution, this Division and the provisions of the information manual. Redistricting plans shall be prepared and submitted in accordance with the following schedule and procedure.

(a) Fifteen days after United States Bureau of the Census data has been made available to the Secretary of State, he or she shall issue a public notice stating that the period for submission of proposed redistricting plans will terminate at the close of business on the sixtieth day following the date of the issuance of the notice. Said notice shall be distributed to the news media and published in every daily newspaper of general circulation in this state in accordance with the provisions of Section 6061 of the Government Code.

(b) Immediately following the conclusion of the period for

th submission of plans, the Commission shall for a period of 45 days make available for public inspection copies of each plan received, together with supporting documentation and other materials received with said plans.

(c) During the public inspection period set forth in subdivision (b) of this section, the Commission shall accept and review written comments on submitted plans and shall solicit and accept public comment on said plans at three public hearings. One such hearing shall be held in Northern California, one such hearing shall be held in Central California, and one such hearing shall be held in Southern California. Notice of said hearings shall be distributed to the news media and published in every daily newspaper of general circulation in this state, in accordance with Section 6061 of the Government Code.

(d) Within 30 days after the conclusion of the public inspection period, the Commission shall adopt the plans which best satisfy the requirements of Article IVA of the California Constitution and the provisions of this Division. If, in the opinion of the Commissioners, no submitted plans comply with the aforesaid requirements and provisions, the Commissioners may select at least three but not more than five plans for redistricting the United States House of Representatives or at least three but not more than five plans for redistricting the California Assembly, Senate

and Board of Equalization, or both, and instruct the special master to return them to the submitting parties, together with the Commission transcript indicating those respects in which such plans fail to conform and instructions for resubmission. Said plans shall be resubmitted not later than 45 days after the conclusion of the public inspection period. Not later than 60 days after the conclusion of the public inspection period, the Commission shall either adopt the resubmitted plans which best satisfy the aforesaid requirements and provisions, or shall amend such plans as necessary to comply with the requirements of this Division and Article IVA of the California Constitution.

(e) In the event that the Commission is unable to adopt plans in accordance with subdivision (d) of Section 30006, within the time specified in this section, the justices shall declare the Commission disbanded and shall appoint a new Commission from among the alternates or remaining nominees, or both, in accordance with the provisions of Section 30003. Said Commission shall be afforded an additional 45 days in which to adopt a plan or plans from among those originally submitted to the Commission, subject to the same standards.

30009. Filing and Enactment.

(a) Immediately upon adopting plans within the time

specified in this Division, the Commission shall file said plans with the Secretary of State and the justices shall declare the Commission disbanded. Notwithstanding any other provision of law, the filing date of an adopted plan shall constitute its date of enactment. Upon filing, each plan shall have the full effect of a statute of this state and shall be published in the Elections Code.

(b) A plan or any section or part thereof, shall not be subject to repeal or amendment by the Legislature. Plans shall be subject to referendum pursuant to the procedures applicable to a statute of this State. Notwithstanding the qualification of a referendum petition against an adopted plan, the districts established by such a plan shall be applicable in any election held prior to or at the time of the referendum election. If defeated in a referendum election, a plan shall be void and without effect, except that districts used during a primary election shall be used in the subsequent general election. The justices shall thereupon appoint a new Commission from among the alternates and remaining nominees in accordance with the provisions of Section 30003. Said Commission shall be afforded an additional 45 days in which to adopt a plan from among those originally submitted to the Commission. Any plan adopted by this Commission shall also be subject to referendum.

30010. Misconduct of Commissioner, Improper Influence.

(a) Any justice, Commissioner, alternate, nominee, special master, member of the Commission staff or member of the justices' staff who either makes any promise or agreement to influence or attempt to influence the Commission to make any decision for or against a particular plan, or willfully and corruptly permits any communication to be made to him or her, or receives any plan, document, book, paper, instrument, or information relating to any cause or matter pending before the Commission, except according to the regular course of proceedings, is punishable by a fine not exceeding ten thousand dollars (\$10,000), or by imprisonment in the state prison.

(b) Any person who corruptly attempts to influence a Commissioner, alternate, nominee, justice, special master, member of the Commission staff, or member of the justices' staff with respect to any business of the Commission, either by means of any communication, oral or written, had with him or her except in the regular course of proceedings; by means of any plan, document, book, paper, or instrument exhibited, otherwise than in the regular course of proceedings; by means of any threat, intimidation, persuasion, or entreaty; or by means of any promise, or assurance of any pecuniary or other advantage, is punishable by a fine not exceeding ten thousand dollars (\$10,000), or by imprisonment in the state prison.

30010.1. Judicial Review.

(a) The California Supreme Court is hereby vested with original and exclusive jurisdiction to review legal challenges to plans adopted by the Commission. Review may be had by the Court on its own motion or by the filing of a petition for a writ of mandate, filed by any group or individual registered voter of the state with the clerk of the Court within 30 days after the adoption of a plan. The Attorney General shall represent the Commission with respect to such review or action.

(b) In the event that neither an original Commission nor a Commission appointed pursuant to the provisions of Section 30008 or 30009 has adopted plans within the time specified by this Division, the Supreme Court shall adopt plans which are consistent with the provisions of Article IVA of the California Constitution and this Division. Said plans shall be adopted within 60 days after the conclusion of the time period permitted for adoption of plans by a Commission appointed pursuant to the provisions of Sections 30008 or 30009.

(c) In the event that any plan adopted by the Commission is adjudicated unconstitutional or in violation of a federal statute, the Court shall order the justices to appoint a Commission from among alternates. In the event that such a Commission, or a Commission appointed pursuant to the provisions of Sections 30008 and 30009, adopts any plan which is

adjudicated unconstitutional or in violation of a federal statute, the Court shall adopt a plan in accordance with the purpose and intent of this Division, and Article IVA of the California Constitution.

Section Eight. This Division may be amended or repealed by a statute that becomes effective only when approved by the electors.

Section Nine. In the event that this measure and another measure or measures on the subject of redistricting California Assembly, Senate, Board of Equalization or U.S. House of Representatives districts shall be approved by a majority of voters at the same election, and this measure shall receive a greater number of affirmative votes than any such measure or measures, this measure shall control in its entirety and said other measure or measures shall be rendered void and without any legal effect. If this measure is approved but shall not receive a greater number of affirmative votes than said other measure or measures, this measure shall take effect to the extent permitted by applicable law.

Section Ten. This initiative is to be liberally interpreted to effect its purposes.

Section Eleven. If any provision of this initiative or the application of any provision of this initiative to any person or

circumstance shall be held invalid, the invalidity shall not affect other provisions or applications which reasonably can be given effect without the invalid provision or application, and to this end the provisions of this initiative are severable.



Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

ELECTIONS DIVISION
(916) 445-0820

For Hearing and Speech Impaired
Only:
(800) 833-8683

January 24, 1990

Tom Huening
California for Political Reform
451 Cornell Avenue
San Mateo, California 94402

Dear Mr. Huening:

Pursuant to Section 3523 of the Elections Code, I hereby certify that on January 24, 1990 the certificates received from the County Clerks or Registrars of Voters by the Secretary of State established that the initiative REAPPORTIONMENT BY COMMISSION. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE., has been signed by the requisite number of qualified electors needed to declare the petition sufficient. The REAPPORTIONMENT BY COMMISSION. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE. is, therefore, qualified for the June 5, 1990 Primary Election.

Sincerely,

March Fong Eu

March Fong Eu

MFE/da

A:\INIT469C.QUA





Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

ELECTIONS DIVISION
(916) 445-0820

For Hearing and Speech Impaired
Only:
(800) 833-8683

January 24, 1990

Mr. Darryl White
Secretary of the Senate
State Capitol, Room 3044
Sacramento, California 95814

Dear Mr. White:

Pursuant to Section 3523.1 of the Elections Code as added by SB 1412 (Chapter 642, Statutes of 1980), I am hereby transmitting to you two (2) copies of the initiative entitled: REAPPORTIONMENT BY COMMISSION. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE. This initiative has qualified for the June 5, 1990 Primary Election.

Sincerely,

March Fong Eu

March Fong Eu

MFE/da

Enclosures

INIT469A.QUA





Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

ELECTIONS DIVISION
(916) 445-0820

For Hearing and Speech Impaired
Only:
(800) 833-8683

January 24, 1990

Mr. R. Brian Kidney
Office of the Chief Clerk
State Capitol, Room 3196
Sacramento, California 95814

Dear Mr. Kidney:

Pursuant to Section 3523.1 of the Elections Code as added by SB 1412 (Chapter 642, Statutes of 1980), I am hereby transmitting to you two (2) copies of the initiative entitled: REAPPORTIONMENT BY COMMISSION. INITIATIVE CONSTITUTIONAL AMENDMENT. This initiative has qualified for the June 5, 1990 Primary Election.

Sincerely,

March Fong Eu

March Fong Eu

MFE/da

Enclosures

INIT469B.QUA



#469

NEWS RELEASE

from: Secretary of State March Fong Eu
1230 J Street, Sacramento, CA 95814
(916) 445-6375

Prop #118 June 1, 1990
For Immediate Release
July 18, 1989

Contact: Caren Daniels-Meade or
Cathy Mitchell

EU REPORTS TWO REAPPORTIONMENT INITIATIVES IN CIRCULATION

SACRAMENTO — Secretary of State March Fong Eu announced today (July 18) the addition of two reapportionment initiatives to the ever-increasing number of drives seeking voter signatures to qualify for next year's election ballots. The newest additions, one of which would turn reapportionment over to a districting commission and the other which would make reapportionment the responsibility of the secretary of state, bring to twelve the number of initiative drives currently underway.

② By SOS

① "Reapportionment by Commission," an initiative constitutional amendment and statute, requires 595,485 signatures of registered voters in order to qualify for the ballot. All signatures must be submitted to county elections officials by December 11, 1989. This initiative is sponsored by San Mateo County Supervisor Tom Huening with the support of Californians for Political Reform, telephone (415) 363-4568. The initiative would require a "12-person Commission, appointed by retired appellate justices, (to) adjust boundaries of California Senatorial, Assembly, Congressional, and Board of Equalization districts." These appointments would be made from a list of names of nominees submitted by non-partisan, non-profit state organizations. The measure would require that the Commission "review plans submitted by registered voters and adopt plan or amended plan which complies with standards." In addition, each district would

(over)



EU — page 2.

not vary more than 1% from the average district population. Senatorial districts would be formed from two adjacent Assembly districts and Board of Equalization districts would be formed from ten adjacent Senatorial districts. Elections would be held in 1992 for all Senate and Assembly seats.

"Reapportionment by Secretary of State" is an initiative constitutional amendment. Sponsored by John Stanaland of Laguna Beach, telephone (714) 497-3280, the measure requires 595,485 signatures by December 14 to earn a spot on next year's ballot. The initiative would require the Secretary of State to adjust the boundaries of the Senatorial, Assembly, Congressional and Board of Equalization districts so that "each district's population varies no more than 1/4 of one percent from others based on national census data." Among other provisions, it would "create Senatorial districts from two consecutive Assembly districts," and "Board of Equalization districts from ten consecutive Senatorial districts." It would further stipulate that districts "be based on census tracts without regard to city or county boundaries" and prescribes the manner in which districts would be drawn and numbered.

Voters have been faced with five decisions this decade regarding specific reapportionment plans or methods for drawing district lines. Three ballot measures, which set Assembly, Senate and congressional boundaries, appeared on the June 1982 ballot as referenda and succeeded in rejecting the plans as had been drawn by the Legislature. The November 1982 ballot asked voters to consider establishing an independent reapportionment commission, taking the chore away from the Legislature; this proposition was defeated at the polls. In 1983, then-Assemblyman Don Sebastiani qualified another reapportionment initiative, but the California Supreme Court removed it from the ballot. (This measure is not included in the five decisions mentioned above, since it did not appear on the ballot). In November 1984, voters again turned down an initiative proposal to form a reapportionment commission.
(more)

EU — page 3.

These are the tenth and eleventh initiatives dealing with reapportionment which have been proposed this decade, and the 17th and 18th initiatives on the subject circulated since 1912. Four reapportionment-related initiatives are presently in circulation. One initiative dealing exclusively with reapportionment is titled "Reapportionment Based on Registered Voters" and is sponsored by John E. Stoos and Chris Fellersen of Sacramento; it has until August 28, 1989 to gather the required 595,485 signatures to place it on the June 5, 1990 ballot. The second initiative in circulation prior to these two new measures, "Legislature. Internal Rules. Reapportionment," is sponsored by Assemblyman Ross Johnson and would require reapportionment bills to received a 2/3 vote of the Rules Committees and the Legislature. It has a November 30 circulation deadline.

A copy of both new reapportionment initiatives, their circulation calendars and titles and summaries are attached.

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8924CBM

Cathy Mitchell

NEWS RELEASE

from: Secretary of State March Fong Eu
1230 J Street, Sacramento, CA 95814
(916) 445-6375

For Immediate Release
January 24, 1990

Contact: Melissa Warren

FIFTH INITIATIVE QUALIFIES FOR JUNE BALLOT, REPORTS EU

SACRAMENTO — Secretary of State March Fong Eu announced today (Jan. 24) that she has certified an initiative measure relating to reapportionment as qualified to be placed before the voters at the June 5th primary election, the fifth and final initiative to qualify for that ballot.

"Reapportionment by Commission," an initiative constitutional amendment and statute, required 595,485 signatures of registered voters in order to qualify. Its proponent, San Mateo County Supervisor Tom Huening, submitted 973,597 signatures to county elections officials, who verified them using the random sample verification procedure. This procedure requires that 110% of the required number, or 655,034 signatures, be deemed valid for the measure to qualify. Statewide random sample reports indicate that 722,426 signatures are considered valid.

The initiative would require a "12-person Commission, appointed by retired appellate justices, (to) adjust boundaries of California Senatorial, Assembly, Congressional, and Board of Equalization districts." These appointments would be made from a list of names of nominees submitted by non-partisan, non-profit state organizations. The measure would require that the Commission "review plans submitted by registered voters and adopt plan or amended plan which complies with standards." In addition, each district would not vary more than 1%

(over)

from the average district population. Senatorial districts would be formed from two adjacent Assembly districts and Board of Equalization districts would be formed from ten adjacent Senatorial districts. Elections would be held in 1992 for all Senate and Assembly seats.

Proponent Huening can be reached at (415) 363-4568.

There are now 13 measures qualified for the June 5 ballot. They are:

SB 1693, Ch. 48/88, Roberti - Housing and homeless bond
AB 973, Ch. 108/89, Costa - Transportation funding
ACA 54, Res. Ch. 74/88, Mountjoy - Enactment of statutes; consideration of bills by the Governor; referendum
SCA 37, Res. Ch. 102/88, Lockyer - Property taxation: full cash value
SCA 1, Res. Ch. 66/89, Garamendi - The Traffic Congestion Relief and Spending Limit Act of 1990
SCA 32, Res. Ch. 167/89, Roberti - State officers
SB 2751, Ch. 1094/88, Rosenthal - Practice of chiropractic
SB 353, Ch. 1165/89, Presley - Peace officers
Criminal Law, initiative constitutional amendment and statute
Rail Transportation Bond Act, initiative statute
Wildlife Protection, initiative statute
Legislature. Ethics. Reapportionment, initiative constitutional amendment
Reapportionment by Commission, initiative constitutional amendment and statute

There are several bond measure pending in the Legislature which may be placed on the ballot after the Jan. 25 measure qualification deadline. It is expected that they will be enacted by Feb. 1, at which time ballot numbers will be assigned to all qualified measures.

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9007MW

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511
P.O. BOX 944255
SACRAMENTO 94244-2550
(916) 445-9555

July 14, 1989

(916) 324-5508

Tom Huening
California for Political Reform
451 Cornell Avenue
San Mateo, California 94402

Dear Mr. Huening:

Initiative Title and Summary
Subject: REAPPORTIONMENT BY COMMISSION. INITIATIVE CONSTITUTIONAL
AMENDMENT AND STATUTE.
Our File NO. SA 89 RF 0007

Pursuant to your request, we have prepared the attached title and summary of the chief purposes and points of the above-identified proposed initiative. A copy of our letter to the Secretary of State, as required by Elections Code sections 3503 and 3513, our declaration-of mailing, and the text of your proposal that was considered is attached.

The Secretary of State will be sending you shortly a copy of the circulating and filing schedule for your proposal that will be issued by that office.

Please send us a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file in this matter.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

A handwritten signature in cursive script, reading "Mary Whitcomb".

MARY WHITCOMB
Initiative Coordinator

MW:jh

Enclosures

DECLARATION OF MAILING

The undersigned Declarant states as follows:

I am over the age of 18 years and not a proponent of the within matter; my place of employment and business address is 1515 K Street, Suite 511, Sacramento, California 95814.

On the date shown below, I mailed a copy or copies of the attached letter to the proponents, by placing a true copy thereof in an envelope addressed to the proponents named below at the addresses indicated, and by sealing and depositing said envelope or envelopes in the United States mail at Sacramento, California, with postage prepaid. There is delivery service by United States mail at each of the places so addressed, or there is regular communication by mail between the place of mailing and each of the places so addressed.

Date of Mailing: July 14, 1989

Subject: REAPPORTIONMENT BY COMMISSION. INITIATIVE
CONSTITUTIONAL AMENDMENT AND STATUTE.

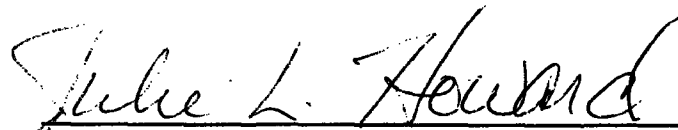
Our File No.: SA 89 RF 0007

Name of Proponent and Address:

TOM HUENING
CALIFORNIA FOR POLITICAL REFORM
451 CORNELL AVENUE
SAN MATEO, CA 94402

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento, California, on: July 14, 1989.


JULIE LYNN HOWARD
Declarant



Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

Elections Division
(916) 445-0820
TDD: (800) 833-8683

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT(S)

1209
(e) 8937

Pursuant to Section 3513 of the Elections Code, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

e

Circulating and Filing Schedule

1. Minimum number of signatures required.....(~~372,178~~) (595,485)
Cal. Const., Art. II, Sec. 8(b).
2. Official Summary Date..... Fri, 7/+/29
Elec. C., Sec. 3513.
3. Petition Sections:
 - a. First day Proponent can circulate Sections for signatures..... Fri, 7/+/29
Elec. C., Sec. 3513.
 - b. Last day Proponent can circulate and file with the county. All Sections are to be filed at the same time within each county..... Mon 12/11/29
Elec. C., Secs. 3513, 3520(a).
 - c. Last day for county to determine total number of signatures affixed to petition and to transmit total to the Secretary of State..... Mon 12/11/29

(If the Proponent(s) files the petition with the county on a date prior to 12/11/29, the county has five working days from the filing of the petition to determine the total number of signatures affixed to the petition and to transmit the total to the Secretary of State.) Elec. C., Sec. 3520(b).

* Date adjusted for official deadline which falls on (Saturday.)(Sunday.)(a holiday.) Elec. C., Sec. 60.

+ PLEASE NOTE: To the Proponent who may wish to qualify for the ()
.) The law allows approximately 85 days for county election officials to check and report petition signatures and transmit results. The law also requires that this process be completed 131 days before the election in which the people will vote on the initiative. It is possible that the county may not need precisely 85 days. But if you want to be sure that this initiative qualifies for the (), you should file this petition with the county before ().

- d. Secretary of State determines whether the total number of signatures filed with all county clerks meets the minimum number of required signatures, and notifies the counties.....

Wed, 2/27/89

- e. Last day for county to determine total number of qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State.....

Fri, 11/1/89

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 2, 12/18/89 the last day is not later than the fifteenth day after the county's receipt of notification.)
Elec. C., Sec. 3520(d), (e).

- f. If the signature count is more than ~~(409,395)~~(655,033) or less than ~~(353,569)~~(565,711), then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between ~~(353,569)~~(565,711) and ~~(409,395)~~(655,033) inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures.....

Monday, 1/22/90

- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State.....

Wed, 3/14/90

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than _____, the last day is not later than the thirtieth working day after county's receipt of notification.)
Elec. C., Sec. 3521(b), (c).

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient.....

Sun, 3/12/90

**Date varies based on receipt of county certification.

(TITLE)
(TYPE OF INITIATIVE)
(DATE)
Page 3

4. The Proponent(~~s~~) of the above named measure (~~is/are~~):

(NAME)
(ADDRESS)
(CITY, STATE ZIP CODE)
(PHONE)

Sincerely,

DEBORAH SEILER
Assistant to the Secretary of State
Elections and Political Reform

NOTE TO PROPONENT(S): Your attention is directed to Elections Code Sections 41, 44, 3501, 3507, 3508, 3516, 3517, and 3519 for appropriate format and type considerations in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. Your attention is further directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code Section 81000 et seq.

Attachment: POLITICAL REFORM ACT OF 1974 REQUIREMENTS

12/10/87

INITIATIVE CHECK LIST

Phone Notification from AG - Date/Time: 1:25 - 7/14/89
 Title of Initiative: REAPPORTIONMENT by COMMISSION
 Type of Initiative: CA S CA and S
 Number of Pages 37 Number of Proponents 1
 Date and Time Initiative will be ready for pick-up 3:15 - 7/14/89

Initial/Date/Time

1. da 17/14/1:30 OSSI informs Deborah/David/Barbara/Caren and Don day and time initiative will be ready for pick-up.
2. da 17/14/3:30 OSSI gives check list to Word Processing Technician to prepare calendar.
3. da 17/14/3:31 Word Processing Technician prepares and proofs fraud calendar and log and returns both to OSSI.
4. da 17/14/3:31 OSSI proofs calendar and log.
5. da 17/14/3:45 OSSI gives final calendar and log to Elections ~~Analyst~~ Attorney.
6. da 17/14/3:55 Elections ~~Analyst~~ Attorney reviews and has Attorney Elections Chief sign. Elections ~~Analyst~~ returns signed calendar to OSSI.
7. da 17/14/4:00 OSSI makes copies of initiative calendar for each proponent.
8. da 17/14/4:10 OSSI attaches copy of Political Reform Act of 1974 Requirements to proponent's copy of initiative calendar.
9. da 17/14/3:00 OSSI prepares Mail/Freight Request Form. OSSI hand carries Mail/Freight Request form and initiative calendar for each proponent (ready for mailing) to Service and Supply. Initiative calendar sent on 7/14/89 to each proponent.
 Date
- (This must be sent to each proponent same day AG prepares Title and Summary).
10. da 17/14/4:30 OSSI advises Assistant Chief when initiative calendar is sent to proponent(s).

INITIATIVE CALENDAR CHECK LIST

Page two

11. da 17/14 4:15 OSSI distributes copies of initiative calendar same day AG prepares Title and Summary to:

☒ Tony
☒ Caren
☒ Jerry
☒ Deborah
☒ Barbara

12. da 17/24 11:00 OSSI distributes copies of initiative calendar to:

☒ All CC/ROV
☒ Political Reform (3 copies)
☒ Elections Staff
☒ LA Office via LA Pouch -
☒ J.R. Schultz (12 copies)
☒ Initiative mailing list
☒ Extra copies for public distribution
☒ Master copy

13. da 17/21 10:00 OSSI advises Assistant Chief of completion of above distribution.

14. da 17/24 900 OSSI makes copies of log and distributes as follows:

1. Initiative canvass binder
2. Vi Daniels - FTB
3. Archives
4. Oliver Cox
5. Initiative Clipboard

15. da 17/24 900 OSSI prepares folder for public distribution.

16. da 17/24 900 OSSI prepares index cards for each initiative.

17. da 17/24 900 OSSI staples Mail/Freight Request form to back of INITIATIVE CHECK LIST.

18. da 17/24 900 OSSI returns completed INITIATIVE CHECK LIST to Assistant Chief.

19. da 17/24 900 Assistant Chief returns check list to Election Analyst.

ELECTIONS DIVISION
MAIL/FREIGHT REQUEST

Mail Submitted to Mail Room 7/14 1 3:00
Date Time

Request mail to be sent no later than 7/14
Date

MAIL:

- ☒ 1st Class
☐ Bulk
☐ Book Rate
☐ Presort
☐ Third Class

CHARGES:

Amount: \$1.05
Pieces: 1

FREIGHT:

- ☐ UPS
☐ Purolator
☐ Greyhound (Next bus out: Yes ____ No ____)
☐ Air-Freight
☐ Truck Lines

ACTIVITY:

- ☐ Outreach (Specify: _____)
☐ County Mailings (#'s: _____)
☐ Ballot Pamphlet
☐ Other (Specify: _____)
☒ Initiative Calendar to Proponent(s).

Mail room sent requested mail on 7/14/89

da
Initial (Service and Supply)

469 REAPPOR BY COMMISSFILED PET. SOS REC'DRANDOM				CO TO MAIL	REC'D CERT	01/07/91
	W/COUNTY	RAW CT	NOTICE	CERT TO SOS	FR. CO.	01:47:07
1. ALAMEDA	12/8	11/9	6/4	6/25	6/27	
2. ALPINE	12/11	11/1	---	---	5/23	REQUIRED:
3. AMADOR	12/11	11/14	---	---	6/25	372,178
4. BUTTE	11/17	11/16	6/4	6/25	6/7	
5. CALAVERAS	12/11	11/2	6/4	6/25	6/12	95%
6. COLUSA	11/11	11/13	6/4	6/25	---	357,570
7. CONTRA COSTA	12/14	12/11	6/11	7/2	6/19	
8. DEL NORTE	12/11	10/30	---	---	5/23	110%
9. EL DORADO	11/17	11/14	6/11	6/29	6/28	409,396
10. FRESNO	12/1	11/22	6/4	6/25	7/20	
11. GLENN	12/11	10/30	6/4	6/25	6/11	
12. HUMBOLDT	12/11	11/15	6/4	6/25	6/19	CURRENT STATUS
13. IMPERIAL	12/11	10/27	6/5	6/26	6/5	
14. INYO	11/17	11/16	6/4	6/25	6/22	241,332
15. KERN	11/17	11/17	6/4	6/25	6/27	64.8%
16. KINGS	11/17	11/17	6/4	6/25	6/25	OF REQUIRED
17. LAKE	12/11	12/6	6/4	6/25	6/25	24.7%
18. LASSEN	12/11	10/30	6/4	6/25	6/28	OF RAW
19. LOS ANGELES	11/27	11/20	---	---	6/28	
20. MADERA	12/11	11/13	6/4	6/25	6/11	
21. MARIN	12/11	11/16	6/5	6/26	6/25	
22. MARIPOSA	12/11	10/19	----	----	---	
23. MENDOCINO	12/11	11/6	6/5	6/26	6/19	
24. MERCED	11/17	11/14	6/4	6/25	6/25	
25. MODOC	12/11	10/19	6/4	6/25	6/7	
26. MONO	12/11	12/8	6/4	6/25	6/19	
27. MONTEREY	11/17	11/13	6/4	6/25	6/25	
28. NAPA	12/11	11/6	6/4	6/25	6/12	
29. NEVADA	12/5	12/4	6/4	6/25	6/22	
30. ORANGE	11/17	11/16	---	---	6/11	
31. PLACER	11/17	11/20	---	---	6/28	
32. PLUMAS	12/11	10/27	---	---	---	
33. RIVERSIDE	12/13	11/6	---	---	6/27	
34. SACRAMENTO	12/11	11/9	6/2	6/22	6/25	
35. SAN BENITO	12/11	10/31	6/4	6/25	7/20	
36. SAN BERNARDINO	11/17	11/14	6/4	6/25	6/28	
37. SAN DIEGO	12/11	11/2	6/4	6/25	6/29	
38. SAN FRANCISCO	12/13	12/8	6/4	6/25	6/28	
39. SAN JOAQUIN	11/17	11/20	6/4	6/25	6/25	
40. SAN LUIS OBISPO	12/11	11/7	---	---	6/25	
41. SAN MATEO	12/11	11/9	6/4	6/25	6/25	
42. SANTA BARBARA	12/11	11/14	6/7	6/28	6/27	
43. SANTA CLARA	11/17	11/14	6/4	6/25	7/20	
44. SANTA CRUZ	12/14	11/12	6/4	6/25	6/11	
45. SHASTA	12/11	11/15	6/5	6/26	6/19	
46. SIERRA	12/11	10/24	---	---	---	
47. SISKIYOU	11/17	11/14	6/5	6/26	6/19	
48. SOLANO	12/11	11/9	6/4	6/25	6/19	
49. SONOMA	12/18	12/8	6/4	6/25	6/19	
50. STANISLAUS	12/11	11/28	---	---	6/11	
51. SUTTER	11/17	11/16	6/4	6/25	6/19	
52. TEHAMA	12/11	11/9	6/4	6/25	6/19	
53. TRINITY	12/11	10/30	6/4	6/25	6/19	
54. TULARE	11/17	11/17	6/4	6/25	6/27	
55. TUOLUMNE	12/11	10/19	6/4		0 6/19	
56. VENTURA	11/27	11/20	6/5		0 6/25	
57. YOLO	11/17	11/15	---	---	7/20	
58. YUBA	5/31	6/8	---	---	6/19	

12/24/90	469 REAPPOR BY COMMISSION	RAW COUNT	RANDOM SAMPLE	VALID SIGS.	NOT SUFF.	DUP.	DUP.	PROJECTED	%
15:28:33	1. ALAMEDA	23,703	1,185						200.0%
	2. ALPINE	1							0.0%
REQUIRED:	3. AMADOR	278							
372,178	4. BUTTE	3,378	500	428	72	2	2,814	83.3%	
	5. CALAVERAS	715	500	399	101	9	565	79.0%	
95%	6. COLUSA	160	160	123	37	3	123	76.9%	
357,570	7. CONTRA COSTA	39,807	1,990	1,661	329	3	32,080	80.6%	
	8. DEL NORTE	80	80	71	9	7	71	88.8%	
110%	9. EL DORADO	6,347						0.0%	
409,396	10. FRESNO	38,425	500	362	138	2	1,182	3.1%	
	11. GLENN	81	81	71	10	7	71	87.7%	
	12. HUMBOLDT	1,752	500	424	76	4	1,451	74.1	
CURRENT STATUS	13. IMPERIAL	165	165	133	32	2	133	80.6%	
	14. INYO	297	297	272	25	4	272	91.6%	
241,332	15. KERN	25,095						0.0%	
64.8%	16. KINGS	1,481	500	386	114	4	1,120	75.6%	
OF REQUIRED	17. LAKE	962						0.0%	
24.7%	18. LASSEN	71	71	65	6	0	65	91.5%	
OF RAW	19. LOS ANGELES	242,498						0.0%	
	20. MADERA	2,570	500	426	74	5	2,083	81.1%	
	21. MARIN	6,682						0.0%	
	22. MARIPOSA	674	674	556	118		556	82.5%	
	23. MENDOCINO	1,061						0.0%	
	24. MERCED	9,888						0.0%	
	25. MODOC	10	10	6	4	0	6	60.0%	
	26. MONO	35	35	27	8	0	27	77.1%	
	27. MONTEREY	1,428						0.0%	
	28. NAPA	4,489						0.0%	
	29. NEVADA	5,137	500	435	65	5	3,993	77.7%	
	30. ORANGE	105,253						0.0%	
	31. PLACER	9,621						78.4%	
	32. PLUMAS	67	67	58	9	1	58	86.6%	
	33. RIVERSIDE	34,101	1,705	1,361	344	2	26,460	77.6%	
	34. SACRAMENTO	58,102	2,905	2,248	657	9	41,540	71.5%	
	35. SAN BENITO	190	190	136	54	8	136	71.6%	
	36. SAN BERNARDINO	44,907						0.0%	
	37. SAN DIEGO	120,796	6,040	4,639	1,401	15	87,080	72.1%	
	38. SAN FRANCISCO	13,342						0.0%	
	39. SAN JOAQUIN	16,048						0.0%	
	40. SAN LUIS OBISPO	3,902	500	383	117	6	2,670	68.4%	
	41. SAN MATEO	14,402						0.0%	
	42. SANTA BARBARA	8,409	500	360	140	3	5,256	62.5%	
	43. SANTA CLARA	40,046						64.9%	
	44. SANTA CRUZ	1,888						0.0%	
	45. SHASTA	6,944						0.0%	
	46. SHASTA	39	39	23	16	0	23	59.0%	
	47. SISKIYOU	238	238	215	23	6	215	90.3%	
	48. SOLANO	11,834	591	476	115	0	11,719	99.0%	
	49. SONOMA	21,311						0.0%	
	50. STANISLAUS	5,379	500	422	78	0	5,301	98.5%	
	51. SUTTER	3,108						0.0%	
	52. TEHAMA	513						0.0%	
	53. TRINITY	166	166	149	17	4	149	89.8%	
	52. TULARE	7,731	500	395	105	1	7,626	98.6%	
	55. TUOLUMNE	507	507	402	105	18	402	79.3%	
	56. VENTURA	19,785						0.0%	
	57. YOLO	4,085	500	343	157	2	3,928	96.2%	
	58, YUBA	2,320	500	337	163	0	2,157	93.0%	
	TOTAL	972,304					240,150		